

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: - SDR-14353 - APPLICANT/OWNER: WALKFED, LLC.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-14344) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/13/06, except as amended by conditions herein.
4. A Waiver from perimeter landscape buffer width requirements is hereby approved, to allow a landscape buffer width of 10 feet along a portion of Washington Avenue where a buffer width of 15 feet is required.
5. The standards for this development shall include a minimum lot size of 65,775 square feet and building height shall not exceed two stories or 24 feet, whichever is less.
6. The minimum distance between buildings shall be 65 feet.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
8. A revised landscape plan shall be submitted prior to submittal of a Tentative Map depicting minimum 24 inch box trees as required by Title 19.12 in place of the 20 and 17 inch box trees depicted in the conceptual landscape plan. The plan shall also depict these trees placed 20 feet on center with a total quantity of 72 trees along the perimeter and six trees in the parking lot area.

9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. The applicant shall show Site Visibility Restriction Zones at all public street intersections. Include the following statement on the map: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".

18. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-14344 and all other subsequent site-related actions.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 16-unit Townhouse Complex and waiver of perimeter landscape buffer requirements on 1.51 acres at 837 Clarkway Drive.

EXECUTIVE SUMMARY

The proposed multi-family, townhouse style development is located in an area that is primarily single-family residential homes on large lots. The project requires a Variance (VAR-15323) from residential adjacency requirements and also a Waiver of landscape buffer width. Other landscaping deficiencies have been addressed with conditions of approval. The project also requires a Rezoning (ZON-14344). This project is not considered appropriate for this location due to the primarily single-family nature of surrounding development and the deviations from standards. Denial of this project is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 01/26/06 | The Planning Commission voted to abey a Site Development Plan Review (SDR-10796) and companion items for a General Plan Amendment (GPA-10789), a Rezoning (ZON-10792), and Variances (VAR-10793 and VAR-10795) for re-notification. |
| 03/15/06 | The applicant withdrew without prejudice a Site Development Plan Review (SDR-10796) and companion items for a General Plan Amendment (GPA-10789), a Rezoning (ZON-10792), and Variances (VAR-10793 and VAR-10795). The Planning Commission had recommended denial on 02/23/06. Staff also recommended denial. |
| 05/17/06 | The City Council approved a General Plan Amendment (GPA-9219) expanding the Redevelopment Area. This property was designated as MXU (Mixed Use) as part of this General Plan Amendment. The property had previously been designated as L (Low Density Residential). The Planning Commission and staff recommended approval. |

09/21/06 The Planning Commission recommended denial of companion items ZON-14344 and VAR-15323 concurrently with this application.

09/21/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #20/ng).

B) Pre-Application Meeting

05/17/06 A pre-application meeting was held and elements of this submittal were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.91
Net Acres: 1.49

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential
Utility
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential
Duplex

C) Planned Land Use

Subject Property: MXU (Mixed Use)
North: R (Rural Density Residential)
PF (Public Facilities)
South: MXU (Mixed Use)
East: MXU (Mixed Use)
West: MXU (Mixed Use)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)
R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is designated as MXU (Mixed Use) through the expansion of the Downtown Redevelopment Area. The Mixed Use category allow for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) land use categories. The previous land use designation on the property was L (Low Density Residential) and the project calls for approximately 10.59 units per acre, which falls into the MLA (Medium-Low Attached Density Residential) range. The proposed project is in compliance with the General Plan, but is considered inappropriate for this location as most of the surrounding area is larger single family lots.

PROJECT DESCRIPTION

The proposal calls for a multi-family, townhouse style, development consisting of 16 residential units. There will be a total of four buildings, two buildings are two stories and two are single story. Each building will have four units. Parking is located toward the interior. Landscaping is provided around the perimeter. The site has a single point of ingress/egress along Washington Avenue.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required R-3	Provided	Compliance
Min. Lot Size	6,500 SF	65,775 SF	Y
Min. Setbacks			
• Front	20 Feet	40 Feet	Y
• Side	5 Feet	10 Feet	Y
• Corner	5 Feet	17 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/24 Feet	Y
Trash Enclosure	50 Feet from protected use	50 Feet	Y
Mech. Equipment	Screened	Screened	Y

The subject property is in compliance with Title 19.08 Development Standards.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The southern two-story building is located adjacent to a parcel zoned for single-family residential use. Per the 3:1 proximity slope requirements this building, with a height of 21 feet, shall be setback a minimum of 63 feet from the adjacent parcel. The proposed setback is 35 feet. This does not meet Residential Adjacency requirements and a Variance (VAR-15323) is required to permit this deviation from requirements.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Residential (three-bedroom)	16 units	Two spaces/unit	32	1	32	1
Guest Space	16 units	One space/six units	3	N/A	3	N/A
Total			35		35	

The proposed development is required to provide a total of 35 parking spaces and is meeting that requirement. One of the spaces is a van accessible handicapped space provided in front of the unit intended for occupancy by the handicapped.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	6 Trees	5 Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	72 Trees	28 Trees
• Min. Zone Width	15 Feet (right-of way) 6 Feet (interior)		10 Feet 6 Feet

The applicant has three deviations from landscaping standards. One of these deviations may be handled with a Waiver; the others will require revisions in compliance with Code requirements.

The first deviation is the lack of the required number of trees. The applicant is providing 28 trees around the perimeter of the development where 72 trees are the minimum required. Also in the parking lot area the applicant is providing a total of five trees where six trees are required. This is not supported as it would be possible for the applicant to increase the number of trees provided. The applicant is merely choosing not to do so. It is noted that none of these trees meet the minimum 24-inch box size. The larges are 20-inch box. The applicant will be required to submit a revised landscape plan showing minimum 24-inch box trees. It is further noted that the applicant is providing a total of 47 trees; however, several of these trees are in the interior of the development and do not count toward the totals listed in the chart above. The applicant will be required to provide a revised landscape plan depicting the proper number of trees.

Secondly, the applicant is requesting a waiver of landscape buffer width requirements. This Waiver is needed in the front yard area. The required width is 15 feet as the property on the north side of Washington Avenue is single-family residential. The applicant is providing 10 feet of landscaping along a portion of this area. This Waiver may be supported as the area that does not comply with the required width is very small compared to the size of the development. The landscape buffer for the development is complex and changes widths several times. The area in question merely narrows to allow for parking and patios in small areas.

B) General Analysis and Discussion

- **Zoning**

The subject property is currently zoned R-E (Residence Estates). The purpose of the R-E District is to provide for low density residential units located on large lots and conveying a rural environment. These Districts are consistent with the policies of the Desert Rural Density Residential category of the General Plan.

The applicant is requesting a Rezoning to an R-3 (Medium Density Residential and Apartment) District. The purpose of the R-3 District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 (Medium Density Residential) District is consistent with the policies of the Medium Density Residential category of the General Plan. The proposed development will be in compliance with zoning requirements with the approval of companion Rezoning (ZON-14344). It is noted that denial of this Rezoning request is recommended as the project is deemed incompatible with the surrounding area.

- Site Plan

The site plan for this development shows a multi-family development. The development consists of four buildings. Two buildings are proposed as single-story structures; these are the southernmost and easternmost buildings. The two buildings in the northwest portion of the development will be two stories. The parking and trash enclosures for the development are concentrated in the interior. The site gains access from Washington Avenue.

- Waivers

There is a Waiver for the landscape buffer width along Washington Avenue. The buffer width Waiver is supported as the deviation is only in a small portion of the development.

The landscape plan does not depict the proper number of trees. Additionally, the size of the trees does not meet Code requirements. A condition of approval has been added requiring the applicant to provide the proper number and size of trees.

- Landscape Plan

The landscape plan shows trees placed intermittently throughout the perimeter of the development. The total number of trees is far less than required and the applicant will be required to submit a revised plan depicting the required number of trees. Additionally, trees are scattered throughout the interior of the development. A fair amount of shrubs are proposed throughout the site. The perimeter buffer changes widths in several locations and does not meet the required width along Washington Avenue in a small area.

- Elevation

Elevations for the proposed development show buildings with flat roofs that feature balconies and awnings. The materials will consist primarily of stucco in a sand color scheme. The awnings will be canvas material.

- Floor Plan

Floor plans show three bedroom, two bathroom units. The layouts are typical of this type of development. Square footages are not shown on the floor plans.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed development is located on a parcel that is primarily surrounded by single-family residential development on large lots. While there is a multi-family development to the west; this development is located on an intersection, which is more conducive to that type of development. This parcel is also located in the buffer area of the Rural Preservation Overlay District or RPOD. This area is limited to a maximum of three dwelling units per acre. The proposed development would have a total of 10.59 units per acre. This does not meet the intent of the RPOD and with the surrounding single-family residential development is considered incompatible with the surrounding area despite the Mixed Use land use designation.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed development requires a Variance (VAR-15323) from Residential Adjacency requirements. Additionally a Waiver for the landscape buffer width along Washington Avenue is required. A condition of approval has been added regarding the required number and size of trees located throughout the development. These deviations, along with the increased density of development on the site result in a recommendation for denial.

3. **“Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

Site access is provided from Washington Avenue, an 80-foot Secondary Collector. This street is capable of handling the type of traffic that will be produced by a development of this size.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

Building materials are primarily stucco and are considered appropriate for the area and the City of Las Vegas.

5. **“Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

Building elevations and design characteristics are not considered unsightly or obnoxious and will be compatible with adjacent development.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The proposed development will not compromise the public health or general welfare; however the development is considered inappropriate for the area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 193 by Planning Department

APPROVALS 0

PROTESTS 2